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DATE:

December 20, 2006

TO:

Examiner FRANKLIN, Jamara Alzaida FAX NO.: 571-273-8300

**USPTO GPAU 2876** 

FROM:

Jeffrey G. Toler

Reg. No.: 38,342

RE U.S. App. No.: 10/797,919, filed March 10, 2004

Applicant(s): Jeffrey Lewis Brandt, et al.

Atty Dkt No.: 1033-LB1049

Title:

MULTIPLE OPTIONS TO DECLINE AUTHORIZATION OF

PAYMENT CARD CHARGES

NO. OF PAGES (including Cover Sheet):

21

#### **MESSAGE:**

Attached please find:

Transmittal Form (1 pg)

Response to Non-Final Office Action (19 pgs)

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NO. 994 P. 2

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PTO/SB/21 (09-06)
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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons and required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/797,919 Filing Date March 10, 2004 TRANSMITTAL First Named Inventor Jeffrey Lewis Brandt, et al. **FORM** Art Unit 2876 Examiner Name FRANKLIN, Jamara Alzaida (to be used for all correspondence after initial filing) Attorney Docket Number 1033-LB1049 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board of Appeals and Interferences Licensing-related Papers Fee Attached Appeal Communication to TC Pelifion (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Request for Refund Express Abandonment Request CO, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Customer No.: 60533 Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Toler Schaffer, LLP Signature Printed name Jeffrey G. Toler Reg. No. 11-20-2006 Date 38.342 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Jeáneaux Jordan Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiatily is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commorce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: 1033-LB1049

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DEC 2 0 2006

Applicant(s):

Jeffrey Lewis Brandt et al.

Title:

MULTIPLE OPTIONS TO DECLINE AUTHORIZATION OF PAYMENT

CARD CHARGES

App. No.:

10/797,919

Filed:

March 10, 2004

Examiner:

FRANKLIN, Jamara Alzaida

Group Art Unit:

2876

Customer No.: 60533

Confirmation No.:

3346

Atty. Dkt. No.: 1033-LB1049

MS: Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

# RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

In response to the Non-Final Office Action mailed October 12, 2006, please amend the above-identified application as follows:

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